

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

YELLOW CORPORATION, *et al.*,¹

Debtors.

)
) Chapter 11
)
) Case No. 23-11069 (CTG)
)
) (Jointly Administered)
)

**DEBTORS' RULE 30(b)(6) DEPOSITION NOTICE TO THE INTERNATIONAL
BROTHERHOOD OF TEAMSTERS AND TEAMSTERS NATIONAL FREIGHT
INDUSTRY NEGOTIATING COMMITTEE**

PLEASE TAKE NOTICE that on **Friday, November 8, 2024, beginning at 2:00 p.m. Central Time**, or at such other date and time as mutually agreed upon, counsel for the above-captioned debtors and debtors in possession ("**Debtors**") will take the discovery deposition of the International Brotherhood of Teamsters and Teamsters National Freight Industry Negotiating Committee (collectively, "**Teamsters**") pursuant to Federal Rule of Civil Procedure 30(b)(6) ("**Federal Rules**"), made applicable to the above-captioned chapter 11 cases by Rules 7026, 7030, and 9014 of the Federal Rules of Bankruptcy Procedure ("**Bankruptcy Rules**"). Pursuant to Rule 30(b)(6), Teamsters shall designate one or more officers, directors, managing agents, or other persons to testify on its behalf as to the matters listed in **Exhibit A** hereto.

The deposition shall take place at the office of Kirkland & Ellis LLP, 333 W. Wolf Point Plaza, Chicago Illinois 60654. The deposition will take place before a court reporter, will be recorded by stenographic means, and will be videotaped for purposes of discovery, for use at trial, and for such other purposes authorized or permitted by the Federal Rules or the Bankruptcy Rules.

¹ A complete list of the Debtors in these chapter 11 cases may be obtained on the website of the Debtors' claims and noticing agent at <https://dm.epiq11.com/YellowCorporation>. The location of the Debtors' principal place of business and the Debtors' service address in these chapter 11 cases is: 11500 Outlook Street, Suite 400, Overland Park, Kansas 66211.

The examination will continue from day to day until completed. All parties are invited to attend and cross-examine.

Dated: October 31, 2024
Wilmington, Delaware

/s/ Peter J. Keane

Laura Davis Jones (DE Bar No. 2436)
Timothy P. Cairns (DE Bar No. 4228)
Peter J. Keane (DE Bar No. 5503)
Edward Corma (DE Bar No. 6718)
PACHULSKI STANG ZIEHL & JONES LLP
919 North Market Street, 17th Floor
P.O. Box 8705
Wilmington, Delaware 19899-8705 (Courier 19801)
Telephone: (302) 652-4100
Facsimile: (302) 652-4400
Email: ljones@pszjlaw.com
tcairns@pszjlaw.com
pkeane@pszjlaw.com
ecorma@pszjlaw.com

-and-

Patrick J. Nash, P.C. (admitted *pro hac vice*)
David Seligman, P.C. (admitted *pro hac vice*)
KIRKLAND & ELLIS LLP
KIRKLAND & ELLIS INTERNATIONAL LLP
333 West Wolf Point Plaza
Chicago, Illinois 60654
Telephone: (312) 862-2000
Facsimile: (312) 862-2200
Email: patrick.nash@kirkland.com
david.seligman@kirkland.com

-and-

Michael Esser (admitted *pro hac vice*)
KIRKLAND & ELLIS LLP
KIRKLAND & ELLIS INTERNATIONAL LLP
555 California Street
San Francisco, California 94104
Telephone: (415) 439-1400
Facsimile: (415) 439 - 1500
Email: michael.esser@kirkland.com

Co-Counsel for the Debtors and Debtors in Possession

EXHIBIT A

DEFINITIONS

The following definitions shall apply to each Topic for Examination and be construed in the broadest sense permitted by the Federal Rules, the Bankruptcy Rules, the Local Rules, or any other applicable law or rules.

1. **“Teamsters”** or **“You”** shall mean the International Brotherhood of Teamsters and Teamsters National Freight Industry Negotiating Committee (collectively, “Teamsters”), as well as any of their present or former agents, affiliates, controlled subsidiaries, officers, directors, managers, principals, members, employees, independent contractors, advisory board members, financial advisors, partners, attorneys, accountants, investment bankers, consultants, representatives, professionals, and all other persons acting or purporting to act on their behalf, including but not limited to The Previant Law Firm.

2. **“Debtors”** shall mean the debtors and debtors in possession² in the chapter 11 cases pending before The Honorable Judge Craig T. Goldblatt of the United States Bankruptcy Court for the District of Delaware, jointly administered under the caption *In re Yellow Corp., et al.*, Case No. 23-11069 (CTG), as well as any of their present or former agents, affiliates, predecessors, controlled subsidiaries, officers, directors, managers, principals, members, employees, independent contractors, advisory board members, financial advisors, partners, attorneys, accountants, investment bankers, consultants, representatives, professionals, and all other persons acting or purporting to act on their behalf.

² A complete list of the Debtors in these chapter 11 cases may be obtained on the website of the Debtors’ claims and noticing agent at <https://dm.epiq11.com/YellowCorporation>. The location of the Debtors’ principal place of business and the Debtors’ service address in these chapter 11 cases is: 11500 Outlook Street, Suite 400, Overland Park, Kansas 66211.

3. **“DWD”** shall mean the Wisconsin Department of Workforce Development, as well as any of their present or former officers, employees, representatives, professionals, and all other persons acting or purporting to act on their behalf, including but not limited to personnel in the DWD Equal Rights Division, Natalie Riopelle, Matthew White, and Brian Buchanan.

4. **“Local Unions”** shall mean the Teamsters’ local unions in Wisconsin, as well as any of their present or former agents, affiliates, controlled subsidiaries, officers, directors, managers, principals, members, employees, independent contractors, advisory board members, financial advisors, partners, attorneys, accountants, investment bankers, consultants, representatives, professionals, and all other persons acting or purporting to act on their behalf, including but not limited to Scott Soldon, Robert Reimers, Tom Strickland, and Jared Wolski.

5. **“The Previant Law Firm”** shall mean any of their present or former attorneys, employees, representatives, professionals, and all other persons acting or purporting to act on their behalf, including but not limited to Fred Perillo, Jill Hartley, Emma Woods and Yingtao Ho.

6. Any references to a corporation, company, partnership, proprietorship, association, organization, group, or any other business or legal entity shall be deemed to include the corporation’s, partnership’s, proprietorship’s, association’s, organization’s, or other business or legal entities’ agents, accountants, advisors, employees, attorneys, officers, directors, direct or indirect shareholders, principals, members, representatives, affiliates, subsidiaries, predecessors, successors, assigns, or any other Person acting or purporting to act on behalf of the corporation, partnership, proprietorship, association, organization, group, or other business or legal entity.

7. The use of any singular noun shall be construed to include the plural, and vice versa, and a verb in any tense shall be construed as the use of the verb in all other tenses.

8. The terms “all,” “any,” and “each” shall each be construed as encompassing any and all.

9. The connectives “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.

10. The term “including” shall be construed to mean including, but not limited to.

11. “Concerning” shall mean, in addition to its usual and customary meaning, relating to, discussing, mentioning, evidencing, identifying, embodying, constituting, effecting, referring to, assessing, recording, analyzing, describing, evaluating, memorializing, about, regarding, touching upon, listing, relating to, or reflecting the matter specified in the Topic.

12. “Document” or “Documents” shall have the meaning ascribed by Rule 7034 of the Federal Rules of Bankruptcy Procedure, including, without limitation, any tangible thing upon which any expression, communication, or representation has been recorded by any means, including, but not limited to, handwriting, typewriting, printing, photostating, photographing, videotaping, magnetic impulse, computer disks, computer storage drives, computer tapes, or mechanical, electronic, or digital recording or information storage of any kind, and any non-identical copies (whether different from the original because of notes made on such copies, because of indications that said copies were sent to different individuals than were the originals, or because of any other reason), including, but not limited to, working papers, preliminary, intermediate or final drafts, correspondence, memoranda, electronic mail, charts, notes, records of any sort of meetings, financial calculations, diaries, reports of telephone or other oral conversations, desk calendars, appointment books, social media posts, and all other writings and recordings of every kind that are in your actual or constructive possession, custody, or control.

13. **“Communication”** or **“Communications”** shall mean the transmittal of information of any kind, in any form, and by any means, and therefore includes, but is not limited to, any telephone conversation, face-to-face meeting or conversation, visit, conference, internal or external discussion, or exchange of Documents. All written Communications shall include, without limitation, electronic, printed, typed, handwritten or other readable Documents, correspondence, memoranda, reports, contracts, both initial and subsequent, diaries, logbooks, minutes, notes, studies, surveys, forecasts, emails, text messages, and instant messages. A Request for Documents concerning any Communication among or between specified parties includes a request for any Communication among or between such parties, whether or not such Communication included or was directed to any other person.

14. **“DWD Complaints”** shall mean all complaints filed by the Local Unions to the Wisconsin Department of Workforce Development, Equal Rights Division (“ERD”), relating to any of the Debtors, including but not limited to ERD Case No. LS202301798.

15. **“Initial Determination”** shall mean the DWD’s initial determination issued on July 1, 2024, regarding the DWD Complaint, ERD Case No. LS202301798.

16. **“DWD Appeal”** shall mean the Teamsters’ written appeal(s) or request(s) for administrative review filed on or around July 9, 2024 or July 11, 2024, regarding ERD Case No. LS202301798 or ERD Case No. LS202301758.

17. **“DWD Administrative Review”** shall mean the DWD’s administrative review conducted between July 9, 2024 through September 18, 2024, regarding the DWD Appeal.

18. **“DWD Remand”** shall mean the DWD’s administrative review decision issued on September 18, 2024, regarding the DWD Appeal, consolidated as ERD Case No. LS202301759 during the DWD Administrative Review.

19. “**Relevant Time Period**” shall mean any period between July 26, 2023, to the date hereof, unless a different time period is specified.

20. “**Automatic Stay**” shall mean, pursuant to 11 U.S.C. § 362(a), the automatic stay of, among other things, the commencement or continuation, including the issuance or employment of process, of any judicial action or proceeding to recover a claim against the Debtors’ estates that arose before the commencement of the chapter 11 cases on August 6, 2023.

TOPICS OF EXAMINATION

1. Communications between individuals involved in the investigative process for the DWD Complaints and any individuals from DWD (including but not limited to Natalie Riopelle, Matthew White, and/or Brian Buchanan); any individuals from Local Unions (including but not limited to Scott Soldon, Robert Reimers, Tom Strickland, and/or Jared Wolski); and any individuals from Previant Law Firm (including but not limited to Fred Perillo, Jill Hartley, Emma Woods, and/or Yingtao Ho).

2. The DWD Administrative Review appeal process that resulted in the appeal of the Initial Determination.

3. Teamsters’ position on the DWD Appeal not violating the Automatic Stay.

4. The names and roles of individuals within Teamsters and Local Unions involved in preparing the DWD Complaints, the Initial Determination, the DWD Appeal, and challenging the Automatic Stay.

5. The names and roles of the DWD individuals involved in the Initial Determination and/or DWD Appeal.

6. Communications between individuals involved in the DWD Initial Determination and/or DWD Appeal, and any individuals from DWD (including but not limited to Natalie

Riopelle, Matthew White, and/or Brian Buchanan); and any individuals from Local Unions (including but not limited to Scott Soldon, Robert Reimers, Tom Strickland, and/or Jared Wolski), and any individuals from Previant Law Firm (including but not limited to Fred Perillo, Jill Hartley, Emma Woods, and/or Yingtao Ho).

7. Any and all discussions with DWD, Local Unions, Previant Law Firm, Scott Soldon, Robert Reimers, Tom Strickland, Jared Wolski, Emma Woods, and/or any person associated with The Previant Law Firm, Concerning potential allegations against the Debtors with respect to the DWD Complaints, the nature of the Debtors' shutdown, the Initial Determination, the DWD Appeal, the DWD Administrative Review, the DWD Remand, or the Automatic Stay.

8. Any and all evidence, including Documents and Communications, submitted on behalf of Teamsters or Local Unions Concerning any of the Debtors, the DWD Complaints, the nature of the Debtors' shutdown, the Initial Determination, the DWD Appeal, the DWD Administrative Review, the DWD Remand, or the Automatic Stay.

9. The facts and circumstances described in Emma Woods' Declaration filed in support of the Motion for Relief from Stay. *See* D.I. 4686-2.